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**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF UTAH**

**IN RE:**

**CASE: 24-22766**

Ronald Bernard Bingham  
Anna Marie Yeneza Bingham

**CHAPTER 13**

**Debtors**

**Hon. JOEL T. MARKER**

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**TRUSTEE'S CONTINUING OBJECTION TO CONFIRMATION**

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The Standing Chapter 13 Trustee, hereby objects to confirmation based on the following unresolved issues:

**Confirmation Issues Arising Since Last Filed Objection**

1. The Debtor's plan treats Markosian Auto as secured, but to date no claim has been filed. If no claim is filed prior to the deadline for creditors to file a claim, the Debtor should file a claim pursuant to FRBP 3004 on behalf of the creditor or amend the plan to remove the secured treatment.

2. Schedule A/B fails to properly value the following asset(s): BlueBird account.

3. There is a discrepancy between the attorney's fees listed in Part 4.3 of the plan and the Bankruptcy Rule 2016 Statement (Official Form 2030). Counsel must resolve this discrepancy and accurately disclose the receipt of any retainer.

4. The Debtors are not submitting their entire net disposable income to the chapter 13 plan, instead proposing to pay 100% to all unsecured creditors. The Trustee opposes the retention of excess disposable income unless the return to unsecured creditors will be no less than the amount of excess disposable income multiplied by the number of months before the modification in order to comply with 11 USC 1325(b).

THEREFORE, the Trustee has an ongoing objection to the confirmation.

Dated: October 16, 2024

Lon A. Jenkins  
Chapter 13 Trustee

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing Continuing Objection to Confirmation was served upon all persons entitled to receive notice in this case via ECF Notification or by U.S. Mail to the following parties on October 16, 2024:

JARED B. PEARSON, ECF Notification

/s/ Pauline Thayne